THE MEMBER FOR TIPPERARY.

What is His Political Status?

English, Irish and American Views on the Great Puzzle.

WILL HE DO ANY GOOD?

Hogan's Slogan to the Tipperarians.

WHAT THE THUNDERER THINKS.

John Mitchel, Esq., M. P. for Tipperary, has not only given "Dizzy," Mr. Bright, Mr. Whalley, the Irish home rulers and the British Parliament generally something to do-a pleasant, spley relief from the ordinary wearisome routine of parliamentary dulness-out he has jurnished our Irish fellow citizens and those interested in international questions with an exciting theme of conversation. Has he a right to claim a seat in the admission to Parliament bein the Irish cause? inquires the Irish patriot. What will come of this lunny episode in parliamentary history? queries the indifferent reader who views the affair simply from the standpoint of curiosity, and is glad of any occurrence that will fill his favorite news-VICISSITUDES OF AN IRISH PATRIOT.

There is another element of local interest which must not be passed over. John Mitchel, apart from being a great leader of Fentanism, has figured so conspicuously in this country and espe-cially in New York that a great many who care but little for the Irish patriot, take a rather lively interest in the man and his extraordinary history. To see the ex-convict of Australia, the ex-rebel of the South, the ex-editor of the Irish Citizen and the ex-envoy of the Fenians in Paris, turn up again in the rôle of the honorable member for the county of Tipperary, and as the prespective colcurious illustration of the changes which the whiringig of time may bring forth. And what is the sentiment of New York as regards this extraordinary case? The opinions given below are selected from various classes of the community. A prominent Englishman, high in official station, thinks that Mitchel is yet an American citizen and would therefore be debarred from sitting in Parliament, even if he were not disqualified from doing so by the fact of his being an ex-convict.

DIFFERENCES OF OPINION. An Irish gentleman well known among his countrymen for his patriotism and loyalty to the Irish cause thought that Mitchel's disqualification as a rebel and his subsequent refusal to take the oath of allegiance deprived him of all claims to American citizenship. Mr. Algernon S. Sullivan, the distinguished Irish-American lawyer, who looked at the question from a purely legal point of view, concurred in this opinion, at the same time ex-pressing a high opinion of the personal qualities of John Mitche!. These, of course, are but representative views: they are taken from among a large number of opinions gathered yesterday. It was quite evident that there is no tendency in New York among any class of people to deplore the resusal or Parliament to admit Mitchel to his seat. On the contrary, man of his best friends think that it is the best thing for him, for Ireland and for the cause of home rule that could have happened. In fact, nobody regards his election as an event of importance in snaping the destinies of ireland, for the opinion prevails among those who know the physical infirmity of the man that he would not live long to raise the echoes of Westminster Hall.

minster stati.

Wiews of Mr. Sullivan gave an interesting epinion, which he delivered with that clearness and impressiveness peculiar to mis remarks on every occasion. "I think," he said. "Air. Mitchel's case is a difficult one for us Americans to understand. We know him personally, and were charmed by his scholarship and his pointe manners. His iottunes interest us, but I cannot perceive how he can be eligible to a seat in Parliament. I always understood be had become a naturalized citizen of the United States, and as such his status was subject to all treaty stipulations of his adopted country. The safe treaty between Great Eritain (the allegiance to which Mr. Mitchel had remounced) and the United States. expatriation and naturalization of the respective subjects of the two countries. The treaty limits to two years from its ratification the right of any

to two years from its ratification the right of any nauralized current to reassume the allegiance of his nativity. Mr. Mitchel does not claim, so far as I am informed, to have complied with the conditions of the treaty, and the plain state of the case seems to be that he is an American citizen and ineligible to the position proposed for him in Parl ament. Personally I would be glad to see Mr. Mitchel elevated to the most honorable positions."

VIEWS OF A WELL-KNOWN PATRIOT.

The views expressed by a well-known Irish patriot, a noted publisher, who was for many years one of Mitchel's best iriends, form a striking contrast to those quoted above. He was of the cylnion that Mitchel was neither a British nor an American citizen. He lost his Mitchel is the stribution of the cylnion that Mitchel was neither a British nor an American citizen he lost his Mitchel was neither a British nor an opportunition as a felon and the legal consequence of this conviction. He lost his American citizenship by esponsing the rebel cause and recusing to take the oath of allegiance when President Johnson's offer of amnesty gave him an apportunity of political rehabilitation. According to this gentleman John Mitchel was in the extraordinary position of a man who was a citizen of no nation whatsoever, could claim the protection of no government whatsoever, and was, in fact, dependent exclusively upon John Mitchel.

PERSONAL RECOLLECTIONS.

"Mr. Mitchel became a citizen in 1854," he said, "and you, probably, know as well as I do his record as a rebel. One of his sons was in command of Fort Sumter. Although his rank was only that of a captain he exercised the functions of a brigadier general. You see his father was such a 'horn in Jenerson Davis' side that the latter was unwilling to promote the son. Mitchel personal participation in the rebellion, you know he was a member of the ambulance corps in Richmond during the siege. Alter the rebellion he came to New Such a fact, when he was thrown into Fortress honroe. There, by the way, he occupie

Paris until the breach between the two wings of Fenianism bogan.

MITCHEL'S RETURN TO AMERICA.

"Then he resigned, requiring to attach himself to either party, and returned to New York, where he started the Prish Citizen. For a time this journal was popular, but it soon lost its popularity when it began to attack indiscriminately both parties. The fact is, Mitchel never knew dis own mind, and he attacks his 'riends generally lar more bitterly that his enemies."

The conversation then reverted to the present

has his crients generally ar more bitterly than his enemine."
The conversation then reverted to the present aspects of the case, and the gentleman gave his opinion in a stratigationward manner. "The great trouble is," said he, "that Mitchel affiliates with no party of Ireland existing at this time. The home rulers' have on general principles stood up for his right to his seat, but they do not approve of his pohey. He is useres in any case so far as Ireland is concerned; for even if Pariament concluded to admit him, he would not take the oath of allegitance and thus voluntarily disquality himself to serve. It is a great misfortune that he is always trying to precipitate a movement. He did so in 1848, when no preparations of any kind had been made, and thus caused untold ruin and misery."

occupies a high position in the service of Her Majesty at this port, and was interciewed yesterday on this subject, showed but little of this teeling, however. He viewed the matter in the hight of calin reason. He maintained that Mitchel was still an American citizen. "On the 12th of May, 1870," he said, "a treaty was concluded between Great Britain and the United States, making it obligatory upon every naturalized citizen who wished to resime his aliagiance to the Queen to make a declaration to that effect before one of Her Majestr's Consuls within the next two years. When those two years had passed without such a declaration having been flied the cutizen was to be considered by the law as though he had never been a subject of the Queen. There was no doubt that Mitchel had made he such declaration of his intention to be restored to British citizenship within the two years is erred to. He is still an American citizenship by being engaged in the rebei cause the English official did not consider a valid one. "for," said he, "his rights may be abridged by treason or other causes; but he still remains a subject of the country."

Thus, it will be seen, that doctors are not the only ones who differ.

THE HOGAN ADDRESS.

The following Paress was issued by the mitchel Election Commissee in Tipperary, and posted through the county, on Wednesday, the 24th of

Election Committee in Tipperary, and posted through the county, on Wednesday, the 24th of February:—

MEN OF TIPPERARY—The unconstitutional action of the British Parliament in voting the osignalincation of John Mitchel, renders his election a paramount necessity and a duty which you cannot shirk without-endangering the high reputation of your noble county. That he has not been legaly disqualined is the opinion of every sound lawyer in the land, and the press of ireland, England and Scotland has declared that John Mitchel's election has been made void by unconstitutional procedure. The Commons of England have unsented your chosen representative by an unworthy tries, by dishonest means, by a shabby subserfuge. They have insulted Tipperary, they have outraged her feelings, they have rampied upon her rights and privileges, and they have struck a blow at freedom of cleenion in Ireland. Men of Tipperary, it is your stern duty to resent the insult offered you, and through you all Ireland, by the re-cleenton of John Mitchel. You are found in honor to the person of John Mitchel, the pride of Fedinal and the beloved of our race. For you and for his country he has serficed everything which mankind fondity curges to—home and aimit, worldly comfort and a britiliant career among great men. For you and Ireland he wore the convect's uniform, he bore the islon's fetters and dared the hangman's rope. In return for his se, denial, for a life of oanishment, of bitter suffering, he asks no reward but your suffrages. These you will cheer it has not been contest your verdict will prove that Mitchel is the man for Tipperary. We have not wished for a second election; it has been forced upon it is not suffrages. These you will cheer it is the man for Tipperary, assembled at the confession in the defeat when the result shall be declared. We, the decigase electors of the county of Tipperary, assembled at the confession at issue, our defined in the calmids of the Tipperary and the provider of the Britania country but to renominate John Mit

GLADSTONE'S INCONSISTENCY.
[London (Feb. 24) correspondence of Manchester Guardian.]

Perhaps you have not noticed that both the Marquis of Lorne and the Marquis of Stafford voted for the government on Monday night and against their political friends on the question of Mitchel's admission to the seat for Tipperary. It is a fact not altogether without significance. It is whispered that the course taken by the front opposition beach in regard to Mitchel's election is regarded with much disavor in high quarters, where it was naturally expected that Mr. Gladstone would have respected the precedent he had loolish things said by the opposition in the debate none has excited more ridicale than the argument urged by Lord Hartington and repeated by a gentleman writing this morning to the Times from the Temple, that Rossa was excluded because he was in prison and couldn't come. Neither the Marquis nor his anonymous desender appear to have read toe debates on that occasion.

[From the London Times, Feb. 17.]

Yesterday was a day to try our faith in the virtue and efficacy of an extended suffrage. Two elections were held, the one in England and the other in Ireland, both of which will assuredly tend to strengthen the conservative reaction throughout the country. The county of Tipperary, baving on tained the distinction of electing in former days Mr. James Sadher and Mr. O'Donovan Rossa, has now added Mr. John Mitchel's name to the list of those it delights to honor. The choice thus made is a grave misfortune, not the less grave because it is cortain to be speedily quashed. It is not because he was convicted of rebellion in 1848 that we hold Mr. Milcuel to be disqualified in a court of political morality as member for Tipperary in 1875. Mr. John Martin, revolutions, now sits for the county of Menth; and, though most of us must think him mistaken in his opinions and an unintentional enemy of the true interests of his country, no one can advance reason other than political to disqualify him for Parliament. It is otherwise with Mr. John Mitchel, We cannot forget two charges against him which all true Irish patriots. In the first place, he broke his parolo when a convict in the Australian colonies. Excuses have from time to time been anggested on his benaif, and the offence may, of course, be palliated by those who hold that he ought never to have been punished at all,

course, be palitated by those who hold that he ought never to have been punished at all, though we cannot allow that it is permissible to violate the obligations of aonor even against an enemy. Many Irish patriots will dust it harder to palitate Mr. Mitchel's second offence. Having escaped to the United States and taken up his resumence at Richmond, he became there an ardent advocate of negro slavery, and threw all his moral and physical energies into the cause of the South throughout the war of secession. Mr. Mitchel, the irish rebel of 1848, may claim an amnesty after six-and-twenty years o exile. We would not condemn beyond all hope of pardon Mr. Mitchel, who bloke his parole in Australia; but it is for Mr. Mitchel's own countrymen to say whether they feel any sympathy with a man who, not being born a citizen of Virginia and not bred up in the midst of negro slavery, devoted himself, in the maturity of his intellect, to light with mind and body to maintain it.

The electors of Tipperary have gone through the form of electing Mr. Mitchel, but he has not been elected, and for the simple reason that he is incapable of being so honored. As a leion, who has not infilled the sentence passed upon him, he is under a disability to be elected or returned as a member of the flouse of Commons, and the enly question for consideration is, whether John Mitchel is so clearly a leion that he flouse can at once pronounce him disableu from being elected and order a new writ, or whether the point of his status should be referred, as a preminary step, to a select committee. Mr. Dyke inoved jester, to a select committee, Mr. Dyke inoved jester, to a select committee, Mr. Dyke inoved jester, to a select committee. Mr. Dyke inoved jester, to a select committee with the flouse of commons; and sine generable winches nould have been reserved for the motion raised to this motion was certainly not very wisely conceived. Mr. Suilivan celivered a speech winches nould have been land before the House of Commons should have been as soon as p been made, and thus caused untold run and misery."

MITCHEL'S CONVICTION.

Allusion was then made to Michel's conviction, and the speaker thought that ''il Mitchel and not effected his escape the courts would undoubtedly have reversed his conviction. There is no doubt whatever that the jury before which he was tried was packed. Every Catholic was carfully excuded, and also every Protestant who had be cast productly for his independence. The jurors were as in Orangemen." Speaking of Mitchel's point in the particle had the power of destroying almost any organization with which he was connected, but he could not build up on a single company." In completing the analysis of Mitchel's character he said, by way of flustration, that he was one of the best reviewers in the spinity that was aim at unequaled. It think it would be a very ortunate taing," he said, in policiasion, "if whichel were to dee how. He would have a magnificent luncial, the people seeing that ac had doed in narness; and if he lives he is sure to lose his preside from an the parties who are working for the lands of the work of the head in the parties who are working for the lands of the speaking. The circumstances of the case made the error excusable, but it was clearly an error. It is more desirable more thanks and the parties who are working for the lands speaking. The circumstances of the case made the error excusable, but it was clearly an error. It is more desirable more thanks and the parties who are working for her had one of her parties who are working for her had not one particular love for John Mitchel, or say other Feman, One who

that they will establish Mr. Mitchei's disability beyond all doubt, so that the House of Commons may at once act upon them. Premising that the case of O'Donovan Rossa proved that the House of Commons has retained the power of declaring the incapacity of a person to be elected because he is a leion, let us ask what are the circumstances of the present case. Mr. Mitchei was convicted in 1848 of felony, under an act for the better security of the Crown, and he was thereupon sentenced to be transported beyond the seas for a term of fourteen years. That sentence has never heen completed and it has never been remitted. It is true that more than fourteen years have passed since the sentence was pronounced, but in the eye of other interruption of its term counting as nothing. Mr. Mitchei might be apprehended to-morrow on a warrant charging him with being at large without having completed his sentence, and the lemency of the executive government in permitting his presence in Ireland last year does not affect this power. It is sufficient that evidence is forthcoming from the penal settlement to which Mr. Mitchei was transported to show that he escaped before the term of his sentence had expired. The simple fact is, Mr. Mitchei has experied to sit in Parhamont, just as Mr. O'Donovan Rossa was declared to be incapable when smallarly returned. It may be said that Mr. Mitchei has thrown of his allegrance since he broke his parole in Australia, and, naving become a naturalized citizen of the United States, cannot now be visited with the penalty of his former offence; but this argument—even if it were in itself valid—will not prove his eighbility to become a member of the House of Commons. It has, indeed, no sadow of validity, for before the year 1870 no one could divest nimself of the obligations and responsibilities of a British snoject, and the act then passed, permitting expatriation, contains an express rearration that no British subject becoming an aften under that act shall be discharged from any anienced at liability i

be remning a felon, incapable of being elected to Parlament.

The House of Commons, following the precedent of the G'Donovan Rossa case, will not hesitate to adopt Mr. Disraell's resolution to-morrow pronouncing Mr. Mitchel incapable of being elected and ordering the issue of a new writ. The immediate effect occasioned by the event will, therefore, be soon over, but we must repeat our conviction that the event tiself is much to be recretted. Mr. Butt and his friends would have prevented it it they could. The Home Rulers are, in fact, discredited by a form of election which means that in Tipperary something very much more advanced than Home Rule is demanded. It is, indeed, stated on apparently good authority that it Mr. John Mitchel could have reached the bar of the House of Commons, he would have refused to take the oath of allegiance required of members. This open scandal will not be provoked, but enough has occurred to show that Mr. Disraell's phrase of "weiled rebellion" is scarcely too strong to apply to Tipperary. Why, indiced, did no no mersor to that Accedent when that Mr. Disraell's pirase of "welled rebellion" is scarcely too strong to apply to Tipperary. Why, indeed, did no one resort to that expedient which seems so covious and so sure of success? The electors of Tipperary cannot have forgotten the disqualification of O'Donovan Rossa, and we do not understand why some competitor did not appear before the country pesterday, serve notices of disqualification freely and claim the seat. It would have been most difficult—we may go the length of saying it would have been impossible—to resist the claim, and no reason which we can accept as satisfactory has been suggested why this mode of obtaining a seat was not employed. If we suppose that no one would venture to run the personal risk involved in it, our impression of the condition of Tipperary is not improved by the expianation. It is covious that firmness must for some time to come be the leading characteristic of the government of fre-land.

A PAPAL ENCYCLICAL.

THE POPE'S PRONOUNCEMENT AGAINST GERMAN CESABISM IN THE CHURCH-EXCOMMUNICA-TION OF CLERGYMEN WHO RECEIVE PARO-CHIAL PRESENTMENTS FROM THE STATE.

We are indebted to the proprietors of the New York *Tablet* for an advance copy of the encyclical letter which His Holiness Pope Pius IX. issued in Rome on the 5th of February, addressed to the archbishops and bishops of Prussia, on the present condition of the Cathone Church in the German Empire. His Holiness reviews the operation of the German ecclesiastical laws and recapitulates the consequences of the civil action, the imattempts to tree suspended or excommunicated priests by the mourning congregations. His Hollness concludes in the following words:-

ness concludes in the following words:—

In juditiment of the duties of this apostolic see, we deckare publicly, by this present Encyclical, to all those whom it may concern, as well as to the whole Catholic world, that these laws are null and void, because they are entirely contrary to the divine constitution of the Church. For it is not to the great ones of the earth that the Lord has subjected the bishops of His Church in what relates to His holy service, but to Peter, to whom He has intrusted His lambs and His sheep, (St. John, XXL, 16, 17), it is for this reason that no temporal power, however exalted it may be, has the right to deprive of their episcopal dignity those who have been nominated by the Holy Spirit to rule in the Church. (Acts of the Aposties XX., 28.) To this melancoly posture of adairs must yet be added the following fact unworthy of a noble nation, and which we may believe will be criticised severely even by men who are not Catholics, but merely impartial. These laws are excessively severe, and threaten with the nearlest penalties those who do not obey them. They place peaceable and inoffensive citzens in the uniortunate position of men oppressed by force against which they are not able to struggle, solely because their conscience requires them to oppose these laws. One would say they were made, not for free citizens, of whom only a reasonable obedience has a right to be exacted, but for slaves, who are made to obey by terror.

SACALEGIOUS MEN AT THE ALTAR.

After what we have just said, believe not that they are to be excused who, through lear, obey men rather than God; but above all will those sacrilegious men be criminal who dare to take possession of the churches and exercise the ministry, depending wholly on the protection of the secular arm. These will not escape the justice of God. On the contrary, we pronounce that all these sacrilegious men and all those who in juture shall commit a like crime by usurping an ecclesiastical mission will oe, by virtue of the sacred canons, visited, i

hand; also, to avoid their society and conversation, in order that the bad leaven may not spoil the
good dough.

* * Let them know at the same time that
every one of you is ready to pay his tribute to
Casar, and to obey him in all that belongs to the
civil power, not through force, but at the dictates
of your conscience. Have courage, then, and continue as you have done to fulfil the two duties
and to obey the divine laws, for your merit will
be great because you will have patience, and will
not be wearly of suffering for the name of Jesus
Christ. Look to Him who has gone before you in
much greater tribulation, and who submitted
Himself to the penaity of a death full of
outrage, in order that they who believe in Him
may learn to flee from the lavors of this world,
not to shrink from terrors, to love tribulations
through love of the truth, to fear and ayou
the pleasures of the world. It is he who has arrayed you in the line of battle, who will also
vouchesize to you the necessary strength for the
combat. In Him resis our hope. We submit to
His will and implore His mercy. You perceive
that what He foretoid has come to pass. Have
condidence, then. He will vouchasie to give you
all He has promised. "In the world ye shall have
tribulation, but I have overcome the world." Believing in this victory, we humbly implore the Holy
Spirit to bestow upon you peace and grace. As a
proof of our special affection, we bestow upon
you with all our heart, as well as all the clerry
and laity intrusted to your keeping, our spostolic
benediction.

Given at Rome the 5th of February, of the year

benediction.
Given at Rome the 5th of February, of the year 1875, and in the twenty-ninth year of our Pontiscate.
Plus, P.P. IX.

THE ROSS CASE.

Christian K. floss, the father of the lost Charlie Ross, accompanied by Detective Woods, of Philadelphia, called upon Superintendent Wailing at Police Headquarters in relation to a clew to the called supposed to have been discovered. The Superintendent informed them that there was nothing in it whatever.

The Board of Directors of the East River Bridge met yesterday afternoon at the office of the com-Stone, Strananan, Marshail, McLean, Terneure and Canda were appointed as an executive committee. A finance committee, consisting of Measrs. Aspinwall, Motley, Thurser, Carroll, Booth and Nichola, was also appointed.

THE SHANTY MURDER.

OLWELL HELD FOR TRIAL BY THE CORONER. Yesterday morning Coroner Kessler concluded his investigation in the case of James Orr, the man who was alleged to have been killed by Philip Olwell in the shauty of the latter during a drunken quarrel on the 20th uitimo.

Sarah Noble testified that on the night of the alleged homicide she heard a great noise in Ol-well's shanty and heard the cry of murder. Two or three other witnesses were examined, their evidence being of a corroborating nature, when the jury promptly rendered a verdic against Olwell, who was thereupon committed to

the Tombs to await his trial.

He is about thirty years of age, born in Ireland, and an ordinary laborer. By advice of Mr. William F. Howe, his counsel, he declined saying anything relative to the charge preferred against

ATTEMPTED ASSASSINATION.

NARROW ESCAPE OF THREE PROMINENT JERSEY-John Mulvihill was placed on trial yesterday in

the Court of Quarter Sessions, at Jersey City, on the charge of attempting to take the life of Charles

F. Ruh, a justice of the peace, member of the Board of Freenolders and an ex-member of the Legislature, on the night of the 17th of December last, It appears that Mr. Ruh left the council chamber at Union Hill in company with Fritz A. sheriff, and Peter Hansen, and they entered a well known saloon, where they played a game of cards. While there they saw Mulvinii, who appeared to be slightly intoxicated. About midnight he left the saloon, and soon afterward the three gentiemen followed on their way home. prisoner, who was endeavoring to conceal himself by standing erect against the wall of a house. When they passed he followed them, and as they were standing on the corner of Bleecker street er's wagon standing in the street. As soon as they moved he fired at them with a pistol. Ruh and Hansen then pursued him, and in the pursuit he fired again. He escaped that night, but was arressed next morning.

Mr. Ruh's testimony with regard to the shooting was as lollows:—While we were standing on the corner fluithful, whom we had seen following us all the way with his head down in a cronching position, came up and went benind a butcher wagon, which was standing in the street, about ten leet off; after talking a lew minutes we started to cross the street, I in the lead, on the right hand side of Mr. Hansen, who was a lew indues behind and Mr. Meyer behind both of us; I hooked benind to see if Mr. Meyer was coming and saw a flash and heard the report of a pistol which was in the hand of John Mulvipill; saw it distinctly; was looking right in his face; saw the very bright barrel of the pistol in his bands; witness and dansen started to "go lor?" Mulvipill, when he started and run; chased him up one block to Union street, thence to indson avenue, where he passed inner a street lamp and there again I saw the pistol in his right hand; when he got about half way to Lewis street he lell at nill length; he was up instantly like a cat and as he got up he fired another shot; saw his face towards us when he fred; can't tell positively which way be fired; he had by that time got about 100 feet ahead o' us, and Hansen said we had better stop, as we could not calca him that night; we then went home and next morning went to Recorder Morgan, made complaint against Mulvihii, and a warrant was issued and he was arrested. The witness stated that he never had any real difficulty with the prisoner; he arrested him last October for an assault and battery on an old man whom he detected the prisoner in the act of beating; the prisoner said he would have satisfaction; had some difficulty with him at the fall election, but the prisoner said he would have satisfaction; had some difficulty with him at the fall election, but the prisone er's wagon standing in the street. As soon as

A DOUBLE TRAGEDY.

A WOMAN CUTS THE THROATS OF TWO OF HER CHILDREN AND THEN COMMITS SUICIDE. SEYMOUR. Conn., March 8, 1875.

A most distressing tragedy took place here at an early hour this morning. For atrocity it exceeds each of the four similar crimes perpetrated in this valley during the past year. For some time past a Mrs. Evans has resided here with her family. So far as known she had no special domestic troubles, and her neighbors had come to respect and associate with her. Early this morning she snow were pelting the roof of her dwelling and no person near to stay the rash act, she went to the trundle bed where her two children, aged respectively three and six years, were sleeping, and inhumanly cut her throats of both from ear to ear. With singular determination she then applied the murderous blade to her own throat. To information was obtained that such terrible deeds had been committed at the house tail late in the forenoon, when a neighbor, a friend to Mrs.

PARDONED BY GOVERNOR TILDEN.

Yesterday afternoon glad tidings for three convicts, inmates of the Kings County Penitentlary, Flatbush, were received by Warden Shevien and communicated by Deputy Crummey to the happy beneactaries of the Executive clemency. The parbeneaciaries of the Executive elemency. The pardoned criminals are John Enrich, who was
sentenced for five years, in September
1873, by Judge Moore, in the County Court, for
robbery; Henry Kohlert, sentenced at the same
time and for the same crime; and George F. AlcUlcian, sentenced for bigamy for one year, in
November last. The latter named individual is a
cousin of the jamous general, and there were
many mitigating circumstances in connection
with his offences. He is not twenty-one years of
age, and was under the influence of liquor when
he married his second wife at East New York.
The convicts were overjoyed as they donned their
citizen raiment and shook the dust of the prison
yard from their feet.

FROM GOVERNOR TO SENATOR.

DEPARTURE OF SENATOR BOOTH FOR THE NATIONAL CAPITAL. [From the San Francisco Call, Feb. 28.]

Newton Booth, Governor of the State or Califor-nia and Senator elect, resigned his gubernatorial office on Friday last. He will leave for Washington this morning, to take his seat in the United States Senate—a special session having been called for March 4 prox.

At the time of his election to the Senate it was

not presumed that an extra session of that body would be called, and thus Mr. Booth would have retained the position of Governor up to the lat of December next, when the regular session of Congress will begin. But the calling of an extra sesston changed the situation. Should the Senator elect not present himself at this extra session there is ground to believe that his extra session there is ground to believe that his seat might be leopardized, and, possibly, his credentials refused by the Senate. To avoid such a possible disuscer Governor Booth has resigned his office as Chief Executive of the State, his irlends earnestly bigging such a course.

ing such a course.

By this change, Lieutenant Governor Romualdo
Pacheco becomes Governor, under the constitu-

lng such a course.

By this change, Lieutenant Governor Romunido Pacheco becomes Governor, under the constitution, and State Senator Irwin, President pro tempore of the Senate, by virtue of his position becomes Lieutenant Governor. Governor Pacheco has already taxen possession of his office, and Lieutenant Governor Irwin will shortly taxe control of the State Prison.

The Governor's resignation was formally filed yesterday in the office of the Secretary of State, Immediately afterward, at the Capitol, a number of State officials and prominent citizens of Secramento, not especially annerent to the Record Rolling Mills dynasty, assembled to witness the installation of the new Governor. The oath of office was administered to Lieutenant Governor Pacheco by Judge Ramage, Judge of the Sixth District Court, and the new Governor made a brief speech, in which he promised to be as faithful a representative of the people as has been his predecessor. Governor Pacheco then issued to Mr. Booth file commission as United States Senator from California. Governor Pacheco returned to this city by the alternoon train.

AMUSEMENTS.

WOOD'S MUSEUM.

Wood's Museam is evidently a resort for the democracy; not because the price of admission is low, but because the management have made up their minds to cater to their patrons. "The people" always want the worth of their moneythat is, they want quantity-and they reserve the right, as "gods of the gailery," to be judges of the quality. And so, last evening, after the crowd had gazed with delight or terror, as the case might be, on the stuffed Polar bear, or imagered over the scene of "Venice by Moonlight" or the "Arctic Regions in September" in the panoramic department on the first foor they repaired to the "sciture room" to be regaled by a variety performance. The Carrolis were billed for the first part of the evening's entertainment in their original sketch of "the McFaddens; or, Collecting the Reat." A variety of amusing incidents and hits were introduced, the song and dance obsiness, of course, predominating. The programme for the evening was brought to a close by the melodrama, "The Murcer at the Roadside Inn." which was received with the usual "stamping, ha! ha!" and the rattling of rattans in the gailery.

When skies are bright, but sidewalks and cross ings are beastly, it is a rare thing to find at the entrance of a theatre a sign with the inscription "standing room only," as was displayed last night at this first of all variety theatres before the per formance began. There was plenty of variety in the bill and a considerable amount of genuine merit. Miss Jennie Hughes, one of the lyric stars of the company, was advertised but could not appear, owing to serious litness. There was a come sketch about Albani, in which Mr. Gilbert impersonated the fair prima donna. a lot of juggling, knile and cannon ball manipulating oy a party by the name of Norton, and Mr. Sol Smith Russell appeared in some of his well known character sketches, in which he is inimitable. There is something contagious or epidemical in the humor of this artist, and yet nothing broad or vulgar. He has become a general layorite at the Olympic by the same legitimate means that enabled him to gain popularity in the higher walks of comedy. A leal sensation was afforded by the comic songs and character sectches of Mr. James Taylor, who promises at this nouse to divide the honors of axtreme enthusiasm on the part of the public with Mr. Gus Widnams. The latter was received with as much favor as if he had been a new-comer to this theatre. Regarding those wonderint boys, the Garnellas, they proved themselves the first of inving gymnasis. The performance concluded with a musical travestie. "King Ding Dong," by the popular American playwright, John F. Poole, when a was principally characterized by a mineteen hundred pound avordupois oallet, in which obesity took the place of grace. For a real night's enjoyment, without the trouble of analyzing the performance, commend to us the Olympic. merit. Miss Jennie Hughes, one of the lyric stars

NIBLO'S GARDEN. A variety bill was offered at this house last night, flanked by a sensational play, "Paul Jones" and a sarce, the "Irish Lion." There was the "première flying lady of the world," who endangered her limbs by swinging from the balcony to the stage, and other people who did equally unreasonable things. It is a pity that such a spiendid nouse as Niblo's, which is capable of producing
under proper management the bignest forms of
drama in the best possible manner, should be
counciled to resort to the variety business to
build up its waning fortunes. It is not a nouse
for variety, but should be devoted to something
higher and nooler. A new company, containing
even a molicum of talent, would be an advisable
change. There was a time when this theatre was
the exponent of everything that was desirable
and artistic in the dramatic line; but that time
seems to be past. gered her limbs by swinging from the balcons to

MRS. CONWAY'S THEATRE.

Mr. John Mccullough began last night a short engagement at this house, appearing in his lavor-ite rôle of Spartacus in Dr. Bird's classical play of "The Gladiator." The excellence of Mr. lough's representation of this character, is so well known that it is unnecessary to praise it. All the mingled fire, and tender iceling of a strong but noble nature, was pictured with a happy effect. It is impossible not to sympathise with the Spartacus presented to us by Mr. McCullough, and if the original had only a part of the magnetism of his stage representative it is no wonder that he caused some frouble to the old Romans. Mr. McCullough has evidently suffered no loss of power during his lengthened tour, and he brought all that splendid physical power to the part of Spartacus which fills so successfully our ideal of a model gladuator. He was welcomed by a large audience and was frequently and warmly applauded. To-night he fepeats "the Gladiator," and on Wednesday night he will play "Otnello." lough's representation of this character, is so well

MUSICAL AND DRAMATIC NOTES. There will be no matinee performance at the Park Theatre on Wednesday.

Keilogg, under Hess' admirable direction, will be the star of the opera at Easter. Mr. Gosche says that Thomas will bring out some poveities at his matinge at Steinway Ball on

Miss Sophie Heilbron will give a plano recital at Steinway Hall on Thursday afternoon, during which she will play, with Mr. Alfred H. Pease, the new transcription of the Nautilus Waltz.

ment at the Lyceum, will proceed to San Francisco and thence to Australia and New Zealand. This is positively her farewell to New York.

Mr. Nenendorff seems to be the only musical

season. He has engaged already Mme. Peschka-Leutner, soprano, and Theodore Wachtel, tenor. We may have Brandt, contracto, and Betz, basso. Yesterday alternoon, in the small hall of Stein.

"Music," and played his own fantasia in "il Trovatore," Pauer's caprice "La Cascade," a work by Stephen Heller, the military polonaise of Chopin and Mendelssohn's Wedding March. The Madame Ristori appears this evening, for the

first time in America, in the role of Lucrezia Borgia. In her pands the celebrated Italian becomes a deeply interesting tragic character. Madame Ristori's impersonation has been very highly praised by loreign critics, and we doubt not a large and intelligent audience will assemble at the Lyceum to-night to pass upon this new dra matic creation.

THE MIDLAND RAILWAY.

APPOINTMENT OF A RECEIVER BY CHANCELLOR Application was recently made to Chancellor

Theodore Runyon, in Newark, by Dr. Theodore R. Varick and James McBride, of Jersey City, and Nathaniel Dole, of New York, all bondholders the New Jersey Midland Railroad, for the appointment of a receiver. The interests named represent \$50,000 of the first mortgage bonds of the road. The causes leading to the application road. The causes reading to the application are as iollows:—The New Jersey Midland Railroad Company was leased to the New York and Cawego Midland Railroad Company, and relied upon its connection with that road to build up its business. The latiure of the Oswego Road cut of one source of revenue. In addition to this the New Jersey road was provided with but a meagre supply of rolling stock. It was not designed that the New Jersey Midland Road should supply the road with the rolling stock to be used upon it. Most potent, as it is a leged, of the reasons which led to the road's financial embarrassment is the action of the directors in relation to the floating debt of the road. For this debt, amounting to between \$150,000 and \$200,000, the directors had made themselves bersonally responsible; and to save themselves it is stated that they appropriated the earnings of the road, which should nave been devoted to paying the current expenses of the road, toward the payment of the floating debt. The current expenses of running the road do not exceed \$350,000 per year. The receipts last year were fully \$500,000, and an increase of \$200,000 upon the earnings is expected this year. The morning milk train earns \$1,000 per day, and it is claimed ought alone to pay the expenses. Chancellor Runyon, on the day named, appointed yesterday for the decision on the application. Accordingly ex-Attorney General Girchrist and Mr. Robert Fieming appeared for the bondholders and Mr. Pieming, of Jersey City, for the road. The Chancellor Runyon, on the day named, appointed yesterday for the decision on the spinication. Accordingly ex-Attorney General Girchrist and Mr. Robert Fieming appeared for the company to show cause way a receiver should not be appointed. Yesterday, before the hour set for the hearing of the case, another bill was died by a general creditor, asing for the appointment of a receiver. The hearing of this was deer ted until after the first bill was disposed of Upon the latter the whole subject came up. The company filed an are as joilows:-The New Jersey Railroad Company was leased

THE STOCKVIS CASE

Result of President Bailey's Investigations at the Workhouse Yesterday.

SERIOUS CHARGES AGAINST THE POLICE

The death of Jacob B. Stockvis, which it is al-

leged was lastened by Ill-treatment at the hands of the police authorities or the officials of the De-partment of Charities and Correction, is to undergo an examination before Coroner Kessier, at the office of the coroners, corner of Houston and Mulberry streets, at one o'clock to-day. It is expected that the inquiry will last a week, as the Coroner expresses his determination to make it a very searching one, and spare neither Officer Failon, who made the arrest, Sergeants Hamilton and Roberts, before whom the prisoner was arraighed, Keeper Cunningham, of the Fifty-seventh street prison; Judge Fiammer, who sent him to the island for six months, although demeated and paralyzed, or the officials of the Workhouse, if it appears is evidence that all or either of them hastened caution of sending for a doctor. The post-mor-tem made by Deputy Coroner Cushman, heretolors published in the HERALD, shows that the man was peaten by somebody, and it will be for the jury to determine by whom the injuries were inflicted. One theory is that the man received them before his arrest on the charge of intoxication, but Doorman McClary, of the Fitty-ninth street police, reports ne had no marks of violence beyond a scratch on the nose. Another theory is that the demented man, whose business was seiling blackarrested, and was clubbed on the arm by him; that these injuries escaped the notice of the sergeants and doorman, who sailed to find in their search the man's handkerenief with

HIS NAME IN THE CORNER, and finally sent nim along the line that terminated in the Workhouse under the name of John Doe, in the Workhouse under the name of John Doe, lest be might appear against the officer on trial for clubbing a paralyzed man. The latter theory is certainly sustained by the fact that three separate charges were made, as the record shows, against the man. The officer at the desk man him held for intoxication. Judge Flammer temporarily committed aim for intoxication and being disorderly, and finant he was sent up to the island for six months for disorderly conduct.

There he was found by his friends, and the case was so aggravated a one that Warden Kean released him on the order of Mr. Kenock, Superintendent of the Outdoor Poor, although the practice is to release a man only on the order of a Commissioner.

that the Coroner has swoin in consists of the fol-lowing gentiemen, several of whom are physic-ians, and the public can safely await their ver-dict to fix the responsibility where it properly belongs: eiongs:— Edgar Odell, No. 695 Lexington avenue. Dr. Alexander Hadden, No. 155 East Fifty-fires

treet.
Adoph Maas, No. 633 Lexington avenue.
Fred. Krutina, No. 56 East Houston street.
Aloses G. Herman, No. 591 Lexington avenue.
Joseph E. Redmond, No. 852 Taird avenue.
Jr. Fred. A. Castle, No. 687 Lexington avenue.
Albert Steinway, No. 125 East Fifty-second

Albert Steinway, No. 126 East Fifty-Second street.

General Franz Sigel, No. 116 East Fifty-sixth street.

Joun R. Haley, No. 127 East Fifty-third street.

J. B. Stanbury, No. 127 East Fifty-tourth street.

Joun McCaderty, No. 824 Third avenue.

While on a visit to the Island yest-rday ageporter of the Herald met air. Jacobson and a
nephew of the dean man, who were proceeding to
the Island with President Bailey to identify the
man who reported that Stockyls had been beaten
there. One of these gentlemen made a statement
that

man who reported that Stockvis had been beaten there. One of these gentlemen made a statement that

SERIOUSLY COMPROMISES THE POLICE.

He saserts that on the day of Stockvis' disappearance, the lamily becoming a armed, prevailed upon man and Dr. hirsch to visit the Filly-linea street station house in search of the man. They visited face station house between eight and nine P. M., and to Sergeant Hamilton and Caplain Mount gave a full description of occeased and asked them to send out a general slarm. They decined to do so, and referred the men to the Central Office. Leaving their address and the description they proceeded to Police Headquarters in Mulberry street, saw the Inspectur of duty, who promised to send out an alarm within an nour. They returned home, and an nour or two later the demented man was arraigned before the same sergeant to whom they had given in the description, with the result already given in the description, with the unented and in his possession when he went before Judge Flammer, have not been recovered. They also sustain br. Hirsch's statement to a Herald reporter, that the handserchief, what he man's full name upon in the morning was found in his overcoat pocket on the Island.

Later in the day the writer met President Bailey, who reported that from his investigations he was morally certain that

The Man was Not Eleaten on the Island.

On arriving there with the two men, he says Mr. Jacobson selected a man who was not there on the tent while

Jacobson selected a man who was not there on the day of his visit, as the party who had informed him that the man had been bearen there, while his associate most positively insisted he was not the man. When the Workhouse man, who had been seen by them, was produced, Jacobson's associate at once identified him and then Jacobson concurred in the identification. Mr. Bailey reports that Jacobson's associate denies that saybody said the man was beaten, that all the employes in the Workhouse who have any knowledge of the case deny inst news beaten there; that he has made a full investigation, and finus that the man's vest, money and blacking never came into the possession of the oillicers of the department. From other sources it was ascertained that a Third avenue car contactor, with whom the man rode down town on the morning of his disappearance, has been found, and that he will testify that at that time he was so helpiess that when he dropped a part of his change he was unable to pick it up.

PROTECTION OF GAME.

The regular monthly meeting of the New York last evening at the residence of Mr. David H. Haight, No. 284 Madison avenue, Mr. Royal Phelps in the chair. After disposing of the preliminary business, Mr. Hallock submitted the following

putition:

DUCK AND SNIPS SHOOTING.

We, the undersigned baymen and sportsmen, residents and visitors of South Cyster Bay, Seatorth and vicinity, do most respectfully soling the co-operation of vicinity, do most respectfully soling the co-operation at vicinity, the soling is the soling to the co-operation of vicinity soling in the laws in relation to duck shooting to correspond with the old enacunent—that the close season for ducks should extend from May I to October 20. Further, we protest against any laws being passed pre-nibiting spring snips encoting. So lew in number ackilled that we do not consider the subject workey of legislation.

This petition, signed by twenty-seven genue men, was referred for consideration to the Com-

mittee on Game Laws.

Mr. Hallock also presented the following communication from Mr. F. J. Boswirth, of Brighton, England:-

Mr. Hallock also presented the following come munication from Mr. F. J. Boswirth, of Brighten, England:

In the name of justice and in the interest of every sportsman in America, I appeal to you to use your effort to stop the terrific shaughter and wholessie exportation of the permanet grouse (prairie hen from Iowand other Western States, to the boarts of Great Britain. The game dealers assure me that they are now arriving in total and I know whereoff speak when I assure you that they seem to be here. In counties thousands, all victims of the local. State and national organizations the system of trapping, I believe, can be stopped. The game dealer has daphays here of inundreds of birds in the morning, to be soon exhausted by anxious buyers, when fresh barreis are rolled out and other hundreds take the places of the first, repeating itself from day to day, and are sold at one half the price of the Smelish, Scottch and Norway game. If this destruction communes, how long will it require to sweep, this beautiful game bird from our prairies?

In conclusion Mr. Phelps avowed that his attention had been called to the same subject. He had been notified that at pler No. 33, North River, there were 178 barrels of prairie cinckens awaiting shipment to England, and that, as this was the close season for birds, he desired to act in the premises as the law allowed. He had taken the advice of the counsei to the association, however, and jound that he could not seize the birds while in transiti, but had secertained that they had been shipped to this city by one P. B. Wearr, of Chicago. The matter rested with the association, bowever, and jound that the game societies of Chicago be notified of the action baken by the New York organization, with a view to a partial or total suppression of the traffic.

Being asked for information upon the subject Mr. Chailes E. Whitehead, counsel for the association, however, and here a games dealers for selling venison out of season, advised they with the large dealers, but it was possible to o